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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

CAROLINA BERNAL STRIFLING,  
 WILLOW WREN TURKAL, and SYDNEY  
 FREDERICK-OSBORN, on behalf of  
 themselves and all others similarly situated,

Plaintiffs,

v.

TWITTER, INC. and X CORP.,

Defendants.

Case No. 4:22-cv-07739-JST

**STIPULATION AND ~~PROPOSED~~  
 ORDER SETTING SCHEDULE FOR  
 MOTION TO STRIKE FIRST  
 AMENDED COMPLAINT,  
 EXTENDING DEADLINE TO  
 RESPOND TO FIRST AMENDED  
 COMPLAINT, AND WITHDRAWING  
 ADMINISTRATIVE MOTION**

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CAROLINA BERNAL STRIFLING,  
7 WILLOW WREN TURKAL, and  
SYDNEY FREDERICK-OSBORN,  
8 on behalf of themselves and all others similarly situated  
  
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1 Plaintiffs Carolina Bernal Strifling, Willow Wren Turkal, and Sydney Frederick-Osborn  
 2 (“Plaintiffs”) and Defendants Twitter, Inc. and X Corp. (“Defendants”) (collectively, the  
 3 “Parties”), by and through their undersigned counsel, hereby stipulate as follows:

4 WHEREAS, on December 7, 2022, Plaintiffs Strifling and Turkal filed an original  
 5 Complaint alleging class claims for sex discrimination under Title VII and FEHA (ECF No. 1);

6 WHEREAS, on January 26, 2023, Defendant Twitter filed a Motion to Dismiss the  
 7 Complaint (ECF No. 20);

8 WHEREAS, on May 8, 2023, the Court granted Twitter’s Motion to Dismiss the  
 9 Complaint with leave to amend (ECF No. 38);

10 WHEREAS, on May 26, 2023, Plaintiffs filed their First Amended Complaint (“FAC”),  
 11 adding a new named Plaintiff Sydney Frederick-Osborn and new class and collective claims for  
 12 age discrimination under the Age Discrimination in Employment Act (“ADEA”) and the  
 13 California Fair Employment and Housing Act (“FEHA”) (ECF No. 41);

14 WHEREAS, on May 30, 2023, Defendant Twitter filed an Administrative Motion to Set  
 15 Telephonic Case Management Conference Re Case Schedule in Light of Plaintiff’s Violation of  
 16 This Court’s May 8, 2023 Order because Twitter contends the FAC violates the Court’s Order  
 17 dismissing the original complaint, which states, “Plaintiffs may file an amended complaint within  
 18 twenty-one days of this order solely to cure the deficiencies identified by this Order.” (ECF No.  
 19 38 (Order at 16);

20 WHEREAS, Plaintiff believes the FAC does not violate the Court’s order and that in any  
 21 event the FAC should not be stricken;

22 WHEREAS, the Parties now agree that the Court should rule on Twitter’s forthcoming  
 23 motion to strike the addition of a new plaintiff and the ADEA and FEHA age discrimination  
 24 claims before Twitter is required to file its Motion to Dismiss the FAC (or a further amended  
 25 complaint);

26 WHEREAS, the Parties agree that Twitter’s motion to strike shall be filed by June 16,  
 27 2023;

WHEREAS, the Parties further agree that Twitter's deadline to file its Motion to Dismiss (or otherwise respond to the operative complaint) shall be twenty-one (21) days after the Court rules on Twitter's forthcoming motion to strike, if the Court denies the motion to strike, or twenty-one (21) days from the filing of a further amended complaint, if the Court grants the motion to strike; and

WHEREAS, in light of this agreement, Twitter is withdrawing without prejudice its Administrative Motion to Set Telephonic Case Management Conference (ECF No. 38).

NOW, THEREFORE, the Parties stipulate as follows:

1. Twitter's deadline to file a motion to strike is June 16, 2023;
2. Twitter's deadline to respond to the FAC will be twenty-one (21) days after the Court rules on Twitter's forthcoming motion to strike, if the Court denies the motion to strike, or twenty-one (21) days from the filing of a further amended complaint, if the Court grants the motion to strike;
3. Twitter's Administrative Motion to Set Telephonic Case Management Conference (ECF No. 38) is withdrawn without prejudice.

IT IS SO STIPULATED.

Dated: May 31, 2023

MORGAN, LEWIS & BOCKIUS LLP

By /s/ Brian D. Berry

Eric Meckley  
Brian D. Berry  
Jonathan D. Lotsoff  
Ashlee N. Cherry  
Joseph A. Govea  
Kassia Stephenson

Attorneys for Defendants  
TWITTER, INC. and X CORP.

1 Dated: May 31, 2023

LICHTEN & LISS-RIORDAN, P.C.

2  
3 By /s/ Shannon Liss-Riordan

4 Shannon Liss-Riordan

Thomas Fowler

5 Attorneys for Plaintiffs

6 CAROLINA BERNAL STRIFLING,

WILLOW WREN TURKAL, and

7 SYDNEY FREDERICK-OSBORN, on

behalf of themselves and all others

8 similarly situated

9  
10  
11 **FILER'S ATTESTATION**

12 Pursuant to Local Rule 5-1(h)(3) regarding signatures, I attest that all other signatories  
13 listed, and on whose behalf this filing is submitted, concur in the document's content, and have  
14 authorized the filing.

15 Dated: May 31, 2023

MORGAN, LEWIS & BOCKIUS LLP

16  
17  
18 By /s/ Brian D. Berry

Eric Meckley

Brian D. Berry

19 Jonathan D. Lotsoff

Ashlee N. Cherry

20 Joseph A. Govea

Kassia Stephenson

21 Attorneys for Defendants

22 TWITTER, INC. and X CORP.

**~~PROPOSED~~ ORDER**

Having considered the Parties' Stipulation Re Motion to Strike, to Extend Deadline to Respond to First Amended Complaint, and to Vacate Administrative Motion, and good cause appearing, it is hereby ORDERED that:

Defendants' motion to strike the First Amended Complaint shall be submitted on or before June 16, 2023.

Defendants' deadline to respond to Plaintiffs' First Amended Complaint shall be 21 days after this Court rules on Defendants' forthcoming motion to strike, if the Court denies the motion to strike, or twenty-one (21) days from the filing of a further amended complaint, if the Court grants the motion to strike.

Defendants' Administrative Motion to Set Telephonic Case Management Conference Re Case Schedule in Light of Plaintiff's Violation of This Court's May 8, 2023 Order (ECF No. 38) is vacated without prejudice.

**IT IS SO ORDERED.**

Dated: June 1, 2023

  
HON. JON S. TIGAR  
UNITED STATES DISTRICT JUDGE

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